

Message Text

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ACTION OES-07

INFO OCT-01 ARA-10 EUR-12 EA-07 ISO-00 INRE-00 SSO-00
NSCE-00 USIE-00 ACDA-07 AGRE-00 AID-05 CEA-01
CEQ-01 CG-00 CIAE-00 EPG-02 COME-00 DLOS-09
DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FEAE-00
FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00
L-03 NSAE-00 NSC-05 NSF-01 OMB-01 PA-01 PM-04
PRS-01 SP-02 SS-15 ERDE-00 /135 W
-----010417 301654Z /42

O 301624Z JUN 77
FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC IMMEDIATE 0612
INFO ALL EC CAPITALS
AMEMBASSY BRASILIA
AMEMBASSY PARAMARIBO
AMEMBASSY SEOUL
AMEMBASSY TOKYO
AMCONSUL MARTINIQUE

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USEEC

E.O. 11652: N/A
TAGS: EFIS, PLOS, EEC, FR
SUBJECT: U.S. FISHERY OFF FRENCH GUIANA

REF: A) BRUSSELS 6762, B) BRUSSELS 5032, C) STATE 151335

1. FOLLOWING IS TEXT OF NOTE VERBALE HANDED TO MISSION
OFFICER BY EC COMMISSION OFFICIAL (MARCUSSEN, EXTERNAL
FISHERIES) JUNE 30.

2. BEGIN TEXT:

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THE DIRECTORATE GENERAL FOR FISHERIES PRESENTS ITS
COMPLIMENTS TO THE MISSION OF THE UNITED STATES OF AMERICA
TO THE EUROPEAN COMMUNITIES AND HAS THE HONOUR TO INFORM
THE MISSION OF THE ADOPTION BY THE COUNCIL OF THE
EUROPEAN COMMUNITIES ON 27 JUNE 1977 OF A REGULATION
ESTABLISHING CERTAIN INTERIM MEASURES FOR THE CONSERVA-
TION AND MANAGEMENT OF FISHERY RESOURCES OFF THE COAST

OF THE FRENCH DEPARTMENT OF GUYANA.

THIS REGULATION, THE TEXT OF WHICH IS ANNEXED HERETO, AND WHICH WILL SHORTLY BE PUBLISHED IN THE OFFICIAL JOURNAL OF THE EUROPEAN COMMUNITIES, PROVIDES THAT THE INTERIM MEASURES APPLICABLE TO VESSELS FLYING THE FLAG OF THE UNITED STATES OF AMERICA UNDER THE PRESENT REGULATION SHALL BE EXTENDED FOR A FURTHER THREE MONTHS, THAT IS, UNTIL 30 SEPTEMBER 1977.

THE TOTAL NUMBER OF LICENSES WHICH MAY BE DELIVERED TO VESSELS OF THE UNITED STATES FISHING FOR SHRIMPS IN THE WATERS OFF FRENCH GUYANA HAS BEEN INCREASED FROM 65 TO 120; THE MAXIMUM NUMBER OF VESSELS WHICH MAY FISH AT THE SAME TIME FOR SHRIMPS HAS BEEN FIXED AT 85.

THE DIRECTORATE GENERAL ALSO WISHES TO INFORM THE MISSION THAT, IN ADOPTING THIS REGULATION, THE COMMUNITY CONSIDERED IT SHOULD INFORM THE UNITED STATES AUTHORITIES THAT AN ADEQUATE SHARE OF CATCHES BY THIRD COUNTRIES IN THE 200-MILE ZONE OFF THE COASTS OF FRENCH GUYANA SHOULD BE LANDED IN FRENCH GUYANA SO AS TO ENABLE THE PROCESSING INDUSTRY TO CONTINUE OPERATIONS.

THE DIRECTORATE GENERAL FOR FISHERIES TAKES THIS OPPORTUNITY TO RENEW TO THE MISSION OF THE UNITED STATES LIMITED OFFICIAL USE

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OF AMERICA THE ASSURANCE OF ITS HIGHEST CONSIDERATION.

BRUSSELS, 30TH JUNE 1977. END TEXT.

3. WE ARE POUCHING TEXT OF COUNCIL REGULATION TO DEPARTMENT. TEXT CONTAINS POINTS PREVIOUSLY REPORTED IN REFTEL A, AND NOTES THAT "REGULATION SHALL ENTER INTO FORCE ON THE DAY FOLLOWING ITS PUBLICATION IN THE OFFICIAL JOURNAL OF THE EC." WE UNDERSTAND PUBLICATION DATE IS JULY 1.

4. IN HANDING NOTE TO MISSION OFFICER, MARCUSSEN MADE THE FOLLOWING COMMENTS:

A. INCREASE IN NUMBER OF LICENSES TO BE ISSUED TO U.S. VESSELS FROM 65 TO 120 REFLECTED FACT THAT "MISTAKES" HAD BEEN MADE IN COMMISSION'S ORIGINAL CALCULATIONS WITH REGARD TO AVERAGE CATCH WEIGHTS OF U.S. VESSELS. RE-CALCULATIONS, TO WHICH U.S. SIDE HAD CONTRIBUTED HELPFUL STATISTICS, HAD LED TO UPWARD REVISION WHICH COMMISSION FELT SHOULD MEET OUR DESIDERATA. (MISSION OFFICER NOTED, IN LINE WITH DEPARTMENT'S COMMENT REFTEL C, THAT NEW

REGULATION APPEARED TO BE MORE CONSISTENT WITH ACTUAL
U.S. FISHING THAN PREVIOUS VERSION.)

B. LICENSES FOR U.S. VESSELS WILL BE VALID UNTIL END OF
1977. (COMMENT: CONTRARY TO IMPRESSION CREATED BY
PARA TWO NOTE VERBALE THAT THEY ARE VALID UNTIL
SEPTEMBER 30, 1977.)

C. MARCUSSEN DREW OUR ATTENTION TO PARAGRAPH FOUR OF
NOTE VERBALE ASKING THAT AN "ADEQUATE SHARE" OF CATCHES
BE LANDED IN FRENCH GUIANA. WHEN MISSION OFFICER OB-
SERVED THAT A STRICT LINKAGE BETWEEN OFFSHORE CATCHES
AND ON-SHORE PROCESSING WOULD GIVE US PROBLEMS, MARCUSSEN
SAID HE WAS WELL AWARE OF OUR CONCERN ON THIS POINT.
HE CONCEDED THAT THE COMMISSION ITSELF HAD BEEN "UNHAPPY"
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ABOUT IT, BUT WAS CONSTRAINED TO MAKE THE POINT BECAUSE

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FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC IMMEDIATE 0613

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AMEMBASSY BRASILIA

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OF THE VIEWS OF "SOME MEMBER STATES." HE STRESSED, HOWEVER, THAT THIS POINT SHOULD BE INTERPRETED "FLEXIBLY" AND THAT THE COMMISSION'S PRINCIPAL HOPE WAS THAT NO EXISTING U.S. PROCESSING OPERATIONS IN FRENCH GUIANA WOULD BE TRANSFERRED ELSEWHERE.

D. THE HANDLING AND PROCESSING OF LICENSES FOR FISHING OFF FRENCH GUIANA WILL FOR THE SIX MONTH PERIOD BEGINNING JULY 1 BE THE RESPONSIBILITY OF THE BELGIAN EC COUNCIL PRESIDENCY. LICENSE APPLICATIONS FOR U.S. VESSELS SHOULD THEREFORE BE TRANSMITTED DIRECTLY TO THE BELGIAN AUTHORITIES, EITHER THROUGH THE BELGIAN EMBASSY IN WASHINGTON OR THROUGH THE FOREIGN MINISTRY IN BRUSSELS.

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E. THERE IS NO REPEAT NO SPECIFIC APPLICATION FORM TO BE FILLED OUT. THE APPLICATION SHOULD CONTAIN THE INFORMATION REQUESTED IN ARTICLE TWO OF THE MAY 17 REGULATION (REFTEL B). ALTHOUGH NOT CALLED FOR IN THE REGULATION, MARCUSSEN ASKED THAT THE FOLLOWING INFORMATION ALSO BE INCLUDED: 1) RADIO FREQUENCY USED (IN ADDITION TO CALL SIGN); 2) NAME AND ADDRESS OF OWNER OR CHARTERER; 3) PERIOD OF FISHING FOR WHICH LICENSE REQUESTED.

5. PURSUANT TO REFTTEL C, MISSION OFFICER REITERATED DEPARTMENT'S INTEREST IN SCIENTIFIC TALKS WITH COMMISSION OFFICIALS AND ASKED WHETHER MARCUSSEN MIGHT BE ABLE TO PROPOSE A DATE IN JULY WHEN U.S. SCIENTISTS MIGHT COME TO BRUSSELS. MARCUSSEN SEEMED UNAWARE OF OUR EARLIER PROPOSAL (HE IS A NEW MAN ON THE STAFF OF THE FISHERY DIRECTORATE GENERAL), BUT PROMISED TO CHECK OUT THE CALENDARS OF INTERESTED PARTIES IN THE COMMISSION AND SEE WHETHER A JULY DATE IS FEASIBLE.

6. COMMENT: MISSION HAS NOTED DEPARTMENT'S CONCERN ABOUT METHOD OF ENFORCEMENT OF PORTION OF REGULATION WHICH LIMITS FISHING TO 85 VESSELS AT ONE TIME. WE SEE NO REPEAT NO WAY TO RAISE THIS ISSUE WITH COMMISSION WITHOUT RISKING AN ANSWER WE DO NOT WANT TO HEAR. IN VIEW OF THE MIGRATORY NATURE OF FISHING IN THE BRAZIL-GUIANAS AREA, WE ARE INCLINED TO THE VIEW THAT THIS RESTRICTION MAY BE UNENFORCABLE (ALTHOUGH MARCUSSEN'S REQUEST FOR INFORMATION ON PERIOD FOR WHICH LICENSES ARE SOUGHT COULD BE ONE WAY OF ATTEMPTING TO CARRY OUT RESTRICTION). FOR THE TIME BEING, WE BELIEVE IT WOULD BE BEST NOT TO RAISE POINT HERE. IN ANY CASE, IN ABSENCE OF FORMAL AGREEMENT WITH EC, WE DO NOT SEE THAT USG HAS ANY ENFORCEMENT OBLIGATIONS AND ANY THAT MAY EXIST WILL BE RESPONSIBILITY

OF FRENCH AUTHORITIES IN GUIANA. BY THE SAME TOKEN, WE
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RECOMMEND THAT US NOT INSIST THAT APPLICANTS FOR
LICENSES SPECIFY WITH ANY PRECISION PERIODS IN WHICH
THEY INTEND TO FISH.

7. ON QUESTION OF LOCUS FOR SUBMITTING APPLICATIONS TO
BELGIAN AUTHORITIES, MISSION RECOMMENDS DIRECT TRANS-
MISSION TO BELGIAN EMBASSY IN WASHINGTON. HINTON

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